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Attorneys for Defendants  
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James Stogner and Elizabeth "Lisa" Walsh

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NOV - 6 2018  
CLERK US DISTRICT COURT  
DISTRICT OF NEVADA  
BY: \_\_\_\_\_ DEPUTY

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

DAVID JONATHAN THOMAS,  
Plaintiff,

vs.

JAMES COX, et al.,  
Defendants.

Case No. 3:13-cv-00508-RCJ-WGC

MOTION FOR EXTENSION OF  
TIME TO FILE MOTION FOR  
SUMMARY JUDGMENT

Defendants, Isidro Baca, Scott Kahler, Kathryn Reynolds, James Stogner, and Elizabeth "Lisa" Walsh (Defendants), by and through counsel, Adam Paul Laxalt, Attorney General of the State of Nevada, and D. Randall Gilmer, Chief Deputy Attorney General, hereby submit their Motion for Extension of Time to File a Motion for Summary Judgment. This Motion is based on Federal Rule of Civil Procedure 6(b)(1)(A), the following Memorandum of Points and Authorities, and all papers and pleadings on file in this action.

MEMORANDUM OF POINTS AND AUTHORITIES

I. ARGUMENT

Defendants respectfully request a thirty-one (31) day extension of time out from the current deadline (November 26, 2018) (see ECF No. 123) to file a motion for summary judgment in this case. Counsel for Defendants is confronted with numerous competing

1 deadlines and a high workload due to staffing changes in the Office of the Attorney  
2 General. However, such obstacles are currently being resolved and the requested  
3 extension of time should afford Defendants adequate time to file a motion for summary  
4 judgment in this case.

5 Federal Rule of Civil Procedure 6(b)(1) governs extensions of time and provides as  
6 follows:

7 When an act may or must be done within a specified time, the  
8 court may, for good cause, extend the time: (A) with or without  
9 motion or notice if the court acts, or if a request is made, before  
the original time or its extension expires; or (B) on motion made  
after the time has expired if the party failed to act because of  
excusable neglect.

10 Defendants' request is timely and its limited nature will not hinder or prejudice Plaintiff's  
11 case, but will allow for more thorough dispositive motion briefing to narrow or eliminate  
12 issues prior to further proceedings. The requested thirty-one (31) day extension of time  
13 should permit Defendants time to file a motion for summary judgment. Defendants  
14 assert that the requisite good cause is present to warrant the requested extension of time.


15 For these reasons, Defendants respectfully request a thirty-one (31) day extension  
16 of time from the current deadline to file a motion for summary judgment, with a new  
17 deadline to and including Thursday, December 27, 2018.

18 DATED this 2nd day of November, 2018.

19 ADAM PAUL LAXALT  
20 Attorney General

21 By: /s/ D. Randall Gilmer  
22 D. Randall Gilmer (Bar No. 14001)  
Chief Deputy Attorney General

23 Attorneys for Defendants Isidro Baca, Scott  
24 Kahler, Kathryn Reynolds, James Stogner  
and Elizabeth "Lisa" Walsh

25 IT IS SO ORDERED  
26   
27 U.S. MAGISTRATE JUDGE  
28 DATED 11/6/2018

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that I am an employee of the State of Nevada, Office of the Attorney General, and that on the 2nd day of November, 2018, I served the foregoing MOTION FOR EXTENSION OF TIME TO FILE MOTION FOR SUMMARY JUDGMENT by causing a true and correct copy thereof to be deposited for mailing in the United States Mail, first-class postage prepaid, at Las Vegas, Nevada to the following:

David Jonathan Thomas, #18724  
Northern Nevada Correctional Center  
P O Box 7000  
Carson City, NV 89702

/s/ Barbara Fell  
An employee of the  
Office of the Attorney General